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OFFICE OF PETITIONS

In re Patent No. 7,430,519  
Issue Date: September 30, 2008  
Application No. 09/683,093  
Filed: November 16, 2001  
Attorney Docket No. 087354-0109

NOTICE

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28. On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. **See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).**

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. **1098 Off. Gaz. Pat. Office 502 (January 3, 1989).** Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is **NOT ACCEPTED** for the reasons stated below.

The request cannot be accepted at the present time because the request is unsigned.

Inquiries related to this communication should be directed to the April M. Wise at (571) 272-1642.

/Carl Friedman/  
Carl Friedman  
Petitions Examiner  
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